

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE**

IN RE:)
)
GEORGE A. O'NEAL, Jr.,)
JULIE F. O'NEAL,)
605 McDONALD COURT)
NASHVILLE, TN 37217)
SSN: XXX-XX-2601; XXX-XX-0164)
Debtor(s).)
)
)
)
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)
)
BK. NO. 3:15-bk-03827
CHAPTER 13
KEITH M. LUNDIN, JUDGE

THE DEADLINE FOR FILING A TIMELY RESPONSE IS: AUGUST 18, 2016. IF A RESPONSE IS TIMELY FILED, THE HEARING WILL BE: SEPTEMBER 7, 2016, 8:30 a.m., Courtroom 1, 2nd Floor Customs House, 701 Broadway, Nashville, TN 37203

NOTICE OF OBJECTION TO CLAIM

Debtor has asked the court for the following relief: TO DENY CLAIM OF CAVALRY SPV I, LLC

1. File with the court your written response or objection explaining your position at:

By Mail: US Bankruptcy Court, PO Box 24890, Nashville, TN 37202-4890
In Person: US Bankruptcy Court, 701 Broadway, 1st Floor, Nashville, TN
(Monday-Friday, 8:00 a.m. - 4:00 p.m.)

2. **Your response must state that the deadline for filing responses is August 18, 2016, the date of the scheduled hearing is September 7, 2016, and the motion to which you are responding is Objection to Claim.** If you want a file stamped copy returned, you must include an extra copy and a self-addressed, stamped envelope.

3. You must also mail a copy of your response to:

J. Michael Combs
Attorney at Law
700 Craighead Street.
Suite 105
Nashville, TN 37204

Chapter 13 Trustee
P. O. Box 340019
Nashville, TN 37203-0019

U. S. Trustee
318 Customs House
701 Broadway
Nashville, TN 37203

If a timely response is filed, the hearing will be held at the time and place indicated above. **THERE WILL BE NO FURTHER NOTICE OF THE HEARING DATE.** You may check whether a timely response has been filed by calling the Clerk's office at 615-736-5584 or viewing the case on the Court's website at <www.tnmb.uscourts.gov>. If you received this notice by mail, you may have three additional days in which to file a timely response under Rule 9006(f) of the Federal Rules of Bankruptcy Procedure.

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the motion and may enter an order granting that relief.

DATE: 07/18/2016

Signature: /s/ J. Michael Combs
Name: J. Michael Combs
700 Craighead St, Suite 105
Nashville, TN 37204
615-255-7448
615-254-6562 (Fax)
jmichaelcombsbk@bellsouth.net

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605 McDONALD COURT) **BK. NO. 3:15-bk-03827**
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SSN: XXX-XX-2601; XXX-XX-0164) **KEITH M. LUNDIN, JUDGE**
Debtor(s).)

OBJECTION TO CLAIM OF CAVALRY SPV I, LLC

Come now the Debtors, by and through the undersigned counsel, and would object to the Claim filed by Cavalry SPV I, LLC, in the amount of \$10,972.42 (Claim No.6 on the Court's Claims Register) for reasons stated in the attached Unsworn Declaration.

Wherefore, Debtors would respectfully move this Court to disallow the claim filed on behalf of Cavalry SPV I, LLC.

Respectfully submitted,

/s/ J. Michael Combs
J. MICHAEL COMBS
Attorney for Debtor
700 Craighead Street, Suite 105
Nashville, TN 37204
(615) 255-7448
(615) 942-1895 (fax)
jmichaelcombsbk@bellsouth.net

CERTIFICATE OF SERVICE

I hereby certify that I have mailed a copy of the foregoing document to the Chapter 13 Trustee, P. O. Box 340019, Nashville, TN 37203-0019; to the U. S. Trustee, 318 Customs House, 701 Broadway, Nashville, TN 37203; and to Cavalry SPV I, LLC, % Bass & Associates, P.C., 3936 E. Ft. Lowell Road, Suite 200, Tucson, AZ 85712, on this 18th day of July, 2016.

/s/ J. Michael Combs
J. MICHAEL COMBS

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)

UNSWORN DECLARATION UNDER PENALTY OF PERJURY

Comes now J. Michael Combs and would state as follows:

- 1) I am the Debtors' attorney in the above-referenced Chapter 13 bankruptcy proceeding.
 - 2) As part of my responsibility as Debtors' attorney I have examined the Proofs of Claim in this case and find a reason to object to claims.
 - 3) The first claim to which my clients object is that of Cavalry SPV I, LLC. That claim (Claim No. 6 on the Court's Claims Register) is in the amount of \$10,972.42. That claim fails to provide sufficient information to determine whether in fact this is a legal obligation of the Debtors. There is no note, credit application, or any other such documentation. There is only evidence that this claim was transferred by Capital One, N.A., to Cavalry SPV I, LLC.
 - 4) Debtors further desire to object to the claim of Quantum Group, LLC, (Claim No. 1 on the Court's Claims Register) in the amount of \$499.97. That claim, like the previous claim, fails to provide evidence that this obligation is a legal debt owed by the Debtors to the creditor and in fact fails to provide any evidence that the obligation, even if legally owed by the Debtors, has been legally transferred to Quantum Group, LLC.

FURTHER the Affiant saith not.

UNDER PENALTY OF PERJURY, I, J. MICHAEL COMBS, DO HEREBY DECLARE THAT THE INFORMATION CONTAINED IN THE FOREGOING DOCUMENT IS TRUE AND ACCURATE.

/s/ J. Michael Combs
J. MICHAEL COMBS

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Debtor(s).)

ORDER DISALLOWING CLAIM OF CAVALRY SPV I, LLC

It appearing to the Court that this cause came to be heard upon the Debtors' Objection to and request to disallow the claim filed on behalf of Cavalry SPV I, LLC, in the amount of \$10,972.42 (Claim No. 6 on the Court's Claims Register);

And it further appearing that no response to that objection has been filed with this Court.

IT IS, THEREFORE, ORDERED, ADJUDGED and DECREED that the claim of Cavalry SPV I, LLC, in the amount of \$10,972.42 (Claim No. 6 on the Court's Claims Register) is DISALLOWED.

This order was signed and entered electronically as indicated at the top of the first page.

APPROVED FOR ENTRY:

/s/ J. Michael Combs
J. MICHAEL COMBS
Attorney for Debtor(s)
700 Craighead Street, Suite 105
Nashville, TN 37204
(615) 255-7448
(615) 942-1895 (fax)
jmichaelcombsbk@bellsouth.net